



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,863	04/02/2004	Te-Hsiang Fang	BHT-3092-422	9875

7590 04/11/2006
BRUCE H. TROXELL
SUITE 1404
5205 LEESBURG PIKE
FALLS CHURCH, VA 22041

EXAMINER

DZIERZYNSKI, EVAN P

ART UNIT	PAPER NUMBER
----------	--------------

2875

DATE MAILED: 04/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/815,863

Applicant(s)

FANG, TE-HSIANG

Examiner

Evan Dzierzynski

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 February 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

The drawings filed 2/6/2006 were not properly submitted. Therefore, the drawings of record remain objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: reference number 3. In addition, the parts of figure 3 should be labeled so as to show the arrangement described at the end of page 3 in the specifications.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. **Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet"** pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 13, 14, 16, 18, 20, 21, 23, and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Kopelman (US Pat 4924612).

Kopelman teaches a light guide comprising a light guide element 19, 23 having a plurality of optical fibers 18 located in the light guide element between two opposing ends thereof and forming at least one light passage (col 6, ln 65+) located along a length of the light guide element, and a lighting device 15 providing a light directed toward one of the two opposing ends of the light guiding element.

As for claims 14 and 21, Kopelman further teaches a message (col 7, ln 5-15) located on the light guide element.

As for claims 16 and 23, Kopelman further teaches a message (col 7, ln 5-15) located on a smooth surface of the light guide element.

As for claims 18 and 25, Kopelman further teaches that the light guide element has the shape of a round bar (column 6, line 66).

As for claim 20, Kopelman further teaches that the light guide element is made of a transparent material (col 4, ln 47+).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 15 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kopelman in view of Wang (US Pat 6299372).

Kopelman teaches the light guide as discussed above, but fails to specifically teach or disclose it with a masking and a message located thereon. Wang teaches a light guide element comprising masking 22 of the light guide element including a message 21 put upon the light guide element, see figures 4 and 5. It would have been obvious for one of ordinary skill in the art at the time of the invention to combine the masking and the message of Wang with the light guide of Kopelman in order to provide a means for advertisement or to add entertainment value to the device.

Claims 17 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kopelman in view of Witkowski (US 2003/021789).

Kopelman teaches the device as discussed above but fails to teach or disclose a message that is applied to the device by utilizing heat from an iron. Witkowski teaches applying an image by using heat from an iron (paragraph 0073). It would have been obvious for one of ordinary skill in the art to use heat-application, as taught by Witkowski, with the device of Kopelman in order to apply a message or design to the device.

Claims 19 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kopelman in view of Fung (US Pat 6236792).

Kopelman teaches the light guide as discussed above but fails to teach or disclose that the plurality of optical fibers are molded. Fung teaches a light guide element and a plurality of optical fibers that are molded (column 2 line 29+), respectively. It would have been obvious for one of ordinary skill in the art to combine the light guide of Kopelman with the molded plurality of optical fibers of Fung because of

Art Unit: 2875

the increased brightness of the device by having them so close together, as opposed to them being spread out.

Response to Arguments

Applicant's arguments with respect to Landers, Wang and Fung have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Torrence (US Pat 4922384) teaches an illuminated display that uses fiber optic cables.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evan Dzierzynski whose telephone number is (571)-272-2336. The examiner can normally be reached on Monday through Friday 7:00 am - 3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Renee Luebke can be reached on M-F (571)-272-2009. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Evan Dzierzynski

4/1/2006



RENEE LUEBKE
PRIMARY EXAMINER